

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for an examiner's amendment was given in a telephone interview with Ms. Larissa Piccardo on January 15, 2010. [See, Examiner-Initiated Interview Summary Sheet attached to this Office action.]

The application has been amended as follows:

Please cancel claims 86, 87, 195, 196 and 206-220.

Claim 77, line 14, please replace the phrase "branch comprising" with the phrase – branch that comprises an organic acid derivative selected from the group consisting of: an anhydride of octenyl succinic acid; an ester of octenyl succinic acid; an amide of octenyl succinic acid; an anhydride of dodecenyl succinic acid; an ester of dodecenyl succinic acid; and an amide of dodecenyl succinic acid and --.

Claim 77, line 18, please replace the term "fluid;" with -- fluid comprising acid; --.

Claim 187, line 14, please replace the phrase "branch comprising" with the phrase – branch that comprises an organic acid derivative selected from the group consisting of: an anhydride of octenyl succinic acid; an ester of octenyl succinic acid; an amide of octenyl succinic acid; an anhydride of dodecenyl succinic acid; an ester of dodecenyl succinic acid; and an amide of dodecenyl succinic acid and --.

Claim 187, line 18, please replace the term "fluid;" with -- fluid comprising acid; --

Reasons for Allowance

2. The following is an Examiner's statement of reasons for allowance: the prior art of record does not teach or suggest a method of acidizing a subterranean formation, said method comprising adding to said formation a treatment fluid composition containing a permeability modifier including a hydrophobically modified water-soluble polymer having a hydrophobic branch that comprises the specific organic acid derivatives recited in the present claims; wherein the water-soluble polymer has a molecular weight within the range of about 100,000 to about 10,000,000 if formed by reacting a hydrophilic polymer and hydrophobic compound; wherein the water-soluble polymer has a molecular weight within the range of about 250,000 to about 3,000,000 if formed by reacting a hydrophilic polymer with a hydrophobically-modified hydrophilic monomer, and subsequently injecting an aqueous fluid and an acidizing fluid containing acid to said formation, wherein the permeability modifier reduces permeability and/or diverts a portion of said aqueous fluid from one zone to another zone of the formation.

3. The closest prior art is USPN 6,248,697 and U.S. Patent Appl. Publ. No. 2002/0123433 A1, both to Goodhue et al. ('Goodhue documents'). Although the Goodhue documents disclose adding a composition comprising a dodecylsuccinic anhydride modified starch polymer to a subterranean formation, these documents are drawn to applications involving drilling/excavating a borehole in a formation as opposed to the present claims, which are drawn to oil field applications involving diverting an

aqueous treatment fluid from one zone to another in a well bore/formation. Moreover, the Goodhue documents do not teach or suggest its modified starch compounds to be water-soluble polymers having a high molecular weight within the range recited in the present independent claims.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN J. FIGUEROA whose telephone number is (571)272-8916. The examiner can normally be reached on Monday-Thursday 8:00-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James J. Seidleck/

Supervisory Patent Examiner, Art Unit 1796

JJF/JJS